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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their capacities as Trustees of the LABORERS HEALTH AND WELFARE TRUST FUND FOR NORTHERN CALIFORNIA; LABORERS VACATION-HOLIDAY TRUST FUND FOR NORTHERN CALIFORNIA; LABORERS PENSION TRUST FUND FOR NORTHERN CALIFORNIA; and LABORERS TRAINING AND RETRAINING TRUST FUND FOR NORTHERN CALIFORNIA,)
Plaintiffs,)
v.)
DICKINSON CAMERON CONSTRUCTION COMPANY, INC., a California Corporation,)
Defendant.)

) No. Case No. C 08 5791 BZ)
) EX PARTE APPLICATION FOR)
) CONTINUANCE OF CASE)
) MANAGEMENT CONFERENCE;)
) (PROPOSED) ORDER)

**TO: THE CLERK OF THE COURT AND DEFENDANT DICKINSON CAMERON
CONSTRUCTION COMPANY, INC., a California Corporation:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case management conference scheduled for April 6, 2009 be continued for forty-five days.

On December 31, 2008, Plaintiffs filed their Complaint in this matter. Defendant was served via substituted service on January 22, 2009. Thereafter, Defendant contacted Plaintiffs' counsel, Concepción Lozano-Batista, to request an extension of time to answer and to discuss

1 settlement of the case. On February 23, 2009 the parties filed a Stipulation to extend the time to
2 answer Plaintiffs' Complaint to April 20, 2009. In the meantime, the parties have agreed to
3 continue to discuss settlement of this matter. Defendant is in agreement with Plaintiffs' request to
4 continue the date set for the CMC. In addition, Plaintiffs' counsel, Concepción Lozano-Batista
5 will be on vacation from March 20, 2009 through April 17, 2009. Ms. Lozano-Batista has been the
6 primary attorney in this case and is familiar with the particulars of the case.

7 The above stated facts are set forth in the accompanying declaration of Concepción E.
8 Lozano-Batista in Support of Ex Parte Application to Continue Case Management Conference,
9 filed herewith.

10 Dated: March 4, 2009

11 WEINBERG, ROGER & ROSENFELD
12 A Professional Corporation

13 By: _____/s/_____
14 CONCEPCIÓN E. LOZANO-BATISTA
15 119234/522644

ORDER CONTINUING CASE MANAGEMENT CONFERENCE

16 Based upon the foregoing Ex Parte Application for Continuance of Case Management
17 Order and Declaration of Concepción E. Lozano-Batista in Support of Ex Parte Application to
18 Continue Case Management Conference, the Court orders a continuance of the case management
19 conference for forty-five days. In addition, the Court Orders:

20 **THE CASE MANAGEMENT CONFERENCE IS CONTINUED TO MONDAY, JUNE 1,**
2009 AT 9:00 A.M.

21 DATED: March 4, 2009

22 
23 HONORABLE BERNARD ZIMMERMAN
24 JUDGE OF THE DISTRICT COURT